

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER: LYBZ 2 00104
INTERNATIONAL APPLICATION NO. PCT/EP2004/012529		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/580128
INTERNATIONAL FILING DATE 05 NOVEMBER 2004		PRIORITY DATE CLAIMED 20 NOVEMBER 2003
TITLE OF INVENTION METHOD FOR CONTROLLING THE DRIVE MOTOR OF A POSITIVE DISPLACEMENT VACUUM PUMP		
APPLICANT(S) FOR DO/EO/US Michael HÖLZEMER; Frank SCHÖNBORN; and Karl-Heinz RONTHALER		
Applicant submits herewith to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include terms (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement, related PTO-Form 1449 and references (if required) under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 included. <input checked="" type="checkbox"/> A Preliminary Amendment. <input checked="" type="checkbox"/> An Application Data Sheet. <input checked="" type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer readable form of the sequence listing in accordance with PCT Rule 13.ter.2 and 37 CFR 1.821-1.825. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Other items or information: _____ 		
<p align="center"><u>Certificate of EXPRESS MAIL</u></p> <p>"Express Mail" Mailing Label Number <u>EV690753277US</u> Date of Deposit: <u>MAY 19, 2006</u> I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p align="right"><i>Hilary M. McNulty</i> Hilary M. McNULTY</p>		

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10/580128		PCT/EP2004/012529		LYBZ 2 00104	
The following fees have been submitted:				Calculations	PTO Use Only
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))				\$300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).				\$0	
All other situations				\$200.00	\$200.00
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB				\$400.00	
All other situations				\$500.00	\$400.00
TOTAL OF 21, 22 and 23 =				\$900.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS	
Total Claims	15 - 20 =	0	x \$50	= \$0.00	\$0.00
Independent Claims	3 - 3 =	0	x \$200	= \$0.00	\$0.00
Multiple Dependent Claim(s)		0	x \$360	= \$0.00	\$0.00
Additional fee for specification and drawings filed in paper over 100 sheets	Group(s): (Group = number of each additional 50 or fraction thereof)	0	x \$250	= \$0.00	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$0.00
TOTAL NATIONAL FEE =					\$900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	\$40.00
TOTAL FEES =					\$940.00

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Maa Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/580128</div>	INTERNATIONAL APPLICATION NO. PCT/EP2004/012529	ATTORNEY'S DOCKET NO. LYBZ 2 00104
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a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

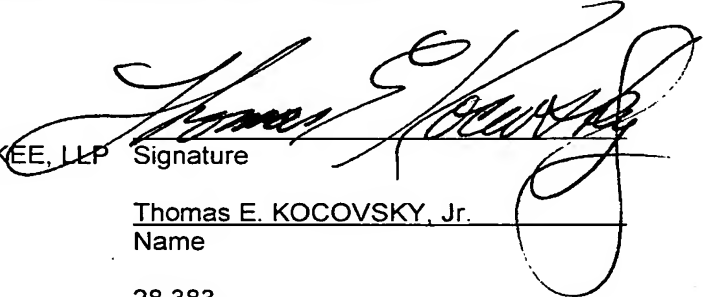
b. ☐ Please charge Deposit Account No. 06-0308 in the amount of \$ _____ to cover the fees identified. A duplicate of this sheet is enclosed.

c. ☒ Fees indicated above are to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Thomas E. Kocovsky, Jr.
 FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP
 1100 Superior Avenue
 Seventh Floor
 Cleveland, OH 44114-2579
 (216) 861-5582 (tel)
 (216) 241-1666 (fax)
TKocovsky@faysharpe.com (e-mail)



 Signature

 Thomas E. KOCOVSKY, Jr.

 Name

 28,383

 Registration Number

L:\HMM\DATA\2006\LYBZ200104.371PT.DOC

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Maa Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Examiner:
M. HÖLZEMER, et al.)	
)	Art Unit:
Serial No.:)	
)	Confirmation:
Filed:)	
)	
For: METHOD FOR CONTROLLING)	
THE DRIVE MOTOR OF A)	
POSITIVE DISPLACEMENT)	
VACUUM PUMP)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
LYBZ 2 00104)	May 19, 2006

SUBMISSION OF FORMAL DRAWINGS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

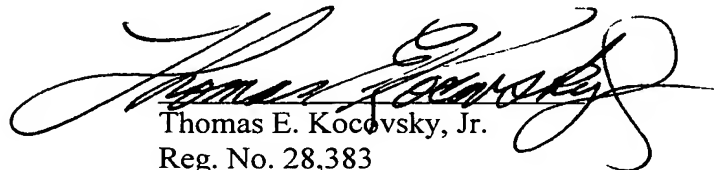
Dear Sir:

The applicants are enclosing one (1) sheet of Formal Drawings, including FIGURES 1-2.

An early indication of the acceptance of the Formal Drawings is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2579
(216) 861-5582

Certificate of EXPRESS MAIL

"Express Mail" Mailing Label Number EV690753277US
Date of Deposit: MAY 19, 2006
I hereby certify that this paper or fee is being deposited
with the United States Postal Service "Express Mail
Post Office to Addressee" service under 37 C.F.R. 1.10 on the
date indicated above and is addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.


Hilary M. McNULTY